

SENATE BILL 743

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11r2104
CF 11r0854

By: **Senator Pugh**

Introduced and read first time: February 4, 2011

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Family Planning Works Act**

3 FOR the purpose of altering the eligibility requirements for family planning services
4 under the Maryland Medical Assistance Program by requiring the Program to
5 provide those services to all women whose family income is at or below a certain
6 percent of the poverty level under certain circumstances; making this Act
7 subject to a certain contingency; and generally relating to eligibility for family
8 planning services under the Maryland Medical Assistance Program.

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 15–103(a)
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2010 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 15–103.

18 (a) (1) The Secretary shall administer the Maryland Medical Assistance
19 Program.

20 (2) The Program:

21 (i) Subject to the limitations of the State budget, shall provide
22 medical and other health care services for indigent individuals or medically indigent
23 individuals or both;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Shall provide, subject to the limitations of the State budget,
2 comprehensive medical and other health care services for all eligible pregnant women
3 whose family income is at or below 250 percent of the poverty level, as permitted by
4 the federal law;

5 (iii) Shall provide, subject to the limitations of the State budget,
6 comprehensive medical and other health care services for all eligible children
7 currently under the age of 1 whose family income falls below 185 percent of the
8 poverty level, as permitted by federal law;

9 (iv) Shall provide, subject to the limitations of the State budget,
10 family planning services to **ALL** women [currently eligible for comprehensive medical
11 care and other health care under item (ii) of this paragraph for 5 years after the
12 second month following the month in which the woman delivers her child] **WHOSE**
13 **FAMILY INCOME IS AT OR BELOW 250 PERCENT OF THE POVERTY LEVEL, AS**
14 **PERMITTED BY FEDERAL LAW;**

15 (v) Shall provide, subject to the limitations of the State budget,
16 comprehensive medical and other health care services for all children from the age of 1
17 year up through and including the age of 5 years whose family income falls below 133
18 percent of the poverty level, as permitted by the federal law;

19 (vi) Shall provide, subject to the limitations of the State budget,
20 comprehensive medical care and other health care services for all children who are at
21 least 6 years of age but are under 19 years of age whose family income falls below 100
22 percent of the poverty level, as permitted by federal law;

23 (vii) Shall provide, subject to the limitations of the State budget,
24 comprehensive medical care and other health care services for all legal immigrants
25 who meet Program eligibility standards and who arrived in the United States before
26 August 22, 1996, the effective date of the federal Personal Responsibility and Work
27 Opportunity Reconciliation Act, as permitted by federal law;

28 (viii) Shall provide, subject to the limitations of the State budget
29 and any other requirements imposed by the State, comprehensive medical care and
30 other health care services for all legal immigrant children under the age of 18 years
31 and pregnant women who meet Program eligibility standards and who arrived in the
32 United States on or after August 22, 1996, the effective date of the federal Personal
33 Responsibility and Work Opportunity Reconciliation Act;

34 (ix) Beginning on July 1, 2008, shall provide, subject to the
35 limitations of the State budget, and as permitted by federal law, comprehensive
36 medical care and other health care services for all parents and caretaker relatives:

37 1. Who have a dependent child living in the parents' or
38 caretaker relatives' home; and

1 (4) In fiscal year 2011 and each fiscal year thereafter, the Governor
2 shall include in the State budget funding sufficient to provide the substance abuse
3 benefits required under paragraph (3)(ii)2 of this subsection.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on
5 an appropriation for FY 2012 in the amount necessary to cover the costs of the
6 implementation of this Act, or receipt on or before October 1, 2011, of a private grant
7 of at least the same amount. If a grant is received to cover the costs of the
8 implementation of this Act, the Department of Health and Mental Hygiene shall notify
9 the Department of Legislative Services within 5 days after the grant is received. If an
10 appropriation is not made and notice of receipt of a grant is not received by the
11 Department of Legislative Services in accordance with this section, this Act shall be
12 null and void without the necessity of further action by the General Assembly.

13 SECTION 3. AND BE FURTHER ENACTED, That, subject to Section 2 of this
14 Act, this Act shall take effect October 1, 2011.